

### **REMARKS**

Reconsideration and allowance of the above-identified application are respectfully requested. Upon entry of this amendment, claims 1-10 and 12-21 are currently pending. Claim 11 has been cancelled without prejudice or disclaimer. Claim 20 has been amended. Claim 21 is new.

Claims 1-10 and 12-20 currently stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gleditsch et al. (U.S. Patent Number 6,415,195). Prior to discussing this ground of rejection in detail, a brief description of the present invention is provided below.

According to exemplary embodiments of the present invention, a forecasting tool is provided that enables a user to predict future demand for quantifiable items in connection with a plurality of projects. The exemplary forecasting tool has multiple tables, each of which contains information that is used in the forecasting process. For example, a project table has project information for each project, including references to items (materials) to be employed in connection with the project. An item table has item information for each item referenced by the project table, e.g., an algorithm to be employed to determine a quantity of the item for a particular project. An algorithm table includes algorithm information for each algorithm referenced by the item table. Thus, the quantity of a needed item for a particular project may be determined by determining the specifics of the relevant algorithm(s), obtaining inputs used by the relevant algorithm(s) from the tables and applying the inputs to the algorithms.

By way of contrast, Gleditsch et al. (hereafter "Gleditsch") teaches a method and system for scheduling in a manufacturing system using a variety of manufacturing process parameters. Additionally, Gleditsch appears to be unconcerned with the manner in which data will be stored, organized and integrated in order to achieve the described processing steps. At most, Gleditsch makes a general reference to a database for storing predefined parameters, information about customer orders and

historical data. See, e.g., column 4, lines 20-23 of Gleditsch. Significant differences exist between Gleditsch as applied in the Official Action and Applicant's claims as will be described below.

**1. The Hypothetical Use of a Relational Database in Gleditsch Does Not Render the Tables Used in Applicant's Claim 1, 16 And 20 Combinations Obvious**

It is respectfully submitted that the statement from the Official Action "the use of a relational database within Gleditsch et al. achieves the same result as the instant application" does not resolve the deficiencies of Gleditsch and, even if true, would not have rendered Applicant's claim 1, 16 and 20 combinations obvious. Whether or not a document "achieves the same result" as a claimed combination is only relevant for determining whether that document is analogous art. It is not a substitute for a specific motivation to modify a document. More specifically, for this present application, a conclusion by the Examiner that Gleditsch allegedly "achieves the same result" as the claimed combination is insufficient to establish a prima facie case of obviousness. This is because, even if true, it would not have provided one of ordinary skill in the art to have arrived at the specific, claimed combination for "achieving that result." The cited sections of Gleditsch, as correctly stated in the Official Action, do not teach the use of tables as is claimed only in Applicant's claim 1, 16 and 20 combinations.

Additionally, even if one of ordinary skill in the art were to somehow modify Gleditsch based upon the *per se* notion that tables exist, there is no motivation provided by Gleditsch which would have resulted in one of ordinary skill in the art arriving at the specific four tables recited in Applicant's claim 1 combination. Only in Applicant's specification can these claimed combinations be found. Or, stated another way, only through the use of impermissible hindsight to Applicant's specification is it possible to remedy the deficiencies of Gleditsch.

**2. The Tables Described in Applicant's Claim 1, 16 and 20 Combinations Interact with One Another in a Manner Which is not Taught or Suggested by Gleditsch**

The claimed tables also interact with one another in a manner which is not taught or suggested by Gleditsch. For example, the algorithm table has algorithm information for each algorithm referenced in an item table. Thus, even if one were to create some number of tables in Gleditsch based upon the general, unspecific notion that tables are an easy way to organize data, there simply is no suggestion in Gleditsch that would have induced one of ordinary skill in the art to create an item table and an algorithm table which interact with one another in the manner specified in Applicant's claim 1 combination. Only Applicant's specification describes this combination of elements. The statement in the Official Action that "Gleditsch et al. is concerned with achieving the same result as the instant application" is not a white-out device that enables automatic rejection of any and all claimed combinations which address similar "concerns". Similar comments apply to Applicant's claim 16 and 20 combinations.

**3. The Dependent Claims are Allowable for Reasons of Their Own**

For example, with respect to Applicant's dependent claim 3 the Official Action states "Gleditsch et al teaches the database tables are distributed across several computers (column 4, lines 20-33 - the system is linked to various controlling mechanisms in the process such as an ordering system of suppliers or customers)." It is respectfully submitted that the cited section of Gleditsch does not mention tables, therefore the cited section of Gleditsch cannot teach or suggest that tables are distributed across several computers.

For another example, with respect to Applicant's dependent claim 8, the Official Action states "the computer system is linked to the suppliers for generating purchasing orders for more materials" (column 4, lines 20-33 of Gleditsch). It is respectfully submitted that both the cited section of Gleditsch and the associated comment from the Official Action are lacking a plurality of elements that are described in Applicant's

dependent claim 8 combination. More specifically, Gleditsch and the associated Official Action comment lack "the tables further comprising a supplier table having supplier information for each supplier referenced by the item table". The cited section of Gleditsch lacks tables, and specifically "a supplier table for each supplier referenced by the item table" which can only be found, among other features, in Applicant's dependent claim 8 combination.

Accordingly, reconsideration and withdrawal of the rejection of claims 1-10 and 12-20 under 35 U.S.C. § 103(a) over Gleditsch et al. are respectfully requested.

New claim 21 has been added to provide additional claim coverage for the present invention. More specifically, claim 21 describes a computer-readable medium having stored thereon computer-executable instructions for instantiating a forecasting tool comprising: tables for predicting future demand for quantifiable items in connection with a plurality of projects, wherein the plurality of projects are related to installation projects in the communications industry, the tables comprising: a project table having project information for each project, the project information including a reference to items to be employed in connection with the project; an item table having item information for each item referenced by the project table, the item information including a reference to an algorithm to be employed to determine a quantity of the item for a particular project; and an algorithm table having algorithm information for each algorithm referenced by the item table, the tables further comprising a requirements table populated by the forecasting tool on a dynamic basis with information obtained from the tables in response to a query for demand for items, the tool populating the requirements table by accepting the query, traversing the tables of the database according to the query to accumulate data necessary to populate the requirements table, and in fact populating the requirements table based on the accumulated data, the project information further including an identification of a project-type of the project, the tables further comprising a project-type table having project-type information for each project-type referenced by the project table, the project-type information including each

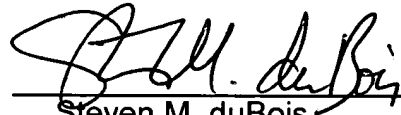
item to be employed in connection with the project-type, the project information further including at least one milestone date for the project, the tables further comprising a milestone table having milestone information for each milestone date referenced by the project table, the milestone information including at least one key project moment to which a need for an item for the project is referenced, the item information further including a reference to the milestone information in the milestone table and information on how to calculate a date when the item is required based on the milestone information, the item information further including an identification of at least one supplier, the tables further comprising a supplier table having supplier information for each supplier referenced by the item table, the supplier information including the items supplied by the supplier and information for each supplied item, the requirements table being populated with information including a project, an item for the project, and an amount of the item required for the project, the requirements table being further populated with information including the date when the item is needed for the project, the requirements table being further populated with information including the date when the item must be ordered to satisfy the date when the item is needed; the requirements table being further populated with information including a supplier the item is to be ordered from. While Gleditsch does describe a method and system for providing sufficient availability of manufacturing resources to meet unanticipated demand, Gleditsch does not teach or suggest a forecasting tool related to installation projects in the communications industry. It is respectfully submitted that the newly submitted claim is patentably distinguishable from the document of record.

All of the objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that this application is in condition for allowance and a notice to that effect is earnestly solicited. Should the Examiner have any questions regarding this response or the application in general, she is invited to contact the undersigned at (540) 361-1863.

Respectfully submitted,

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